

**City of Bloomington**  
**TELECOMMUNICATIONS COUNCIL**  
**ANNUAL REPORT – 2008**

**Members:**

Carl Zager, chair (elected 2008)  
Jesse Strycker, vice chair  
Duane Busick  
Eric Ost  
Suzann Owen

**General Responsibilities:**

The Telecommunications Council, which is responsible to the Board of Public Works, monitors the local implementation of the statewide video services franchise agreements.

The Council consists of five members, two of whom are appointed by the Mayor and three are appointed by the Common Council. At least once a year, The Council shall:

- evaluate the quality of subscriber services, whether the companies are operating under the terms of the state video service franchise certificate and applicable or state and federal rules and regulations,
- study the communications needs of the Bloomington community, and explore ways of using telecommunications services to meet those needs, and report to the Mayor, the Common Council, and the Board of Public Works.

**Major Concerns/Activities:**

- Effects of transfer of ownership of local cable provider from Insight to Comcast
- Implementation of statewide franchising law by Indiana Utilities Regulatory Commission (IURC)
- AT&T's compliance with state franchise law to provide local PEG channels to its subscribers
- Local emergency notifications using video services

**2008 Franchise Fee Revenue from Video Service Providers**

(5% of gross revenue – required by state law)

				<b>Total</b>
<b>Quarters</b>	<b>AT&amp;T</b>	<b>Comcast</b>	<b>Revenue</b>	
Jan-Mar	\$6,476.02	\$173,992.70	\$180,468.72	
Apr-Jun	\$8,011.61	\$167,619.79	\$175,631.40	
July-Sept	\$10,741.54	\$159,382.00	\$170,123.54	
Oct-Dec	\$16,142.11	\$166,622.14	\$182,764.25	
<b>TOTAL</b>	<b>\$41,371.28</b>	<b>\$667,616.63</b>	<b>\$708,987.91</b>	

**Video Service Provider: Comcast**

Because local representatives of Comcast are instructed *not* to attend Telecommunications Council meetings and the company no longer is required to provide monthly reports about numbers of subscribers, etc., the Council has to base any discussion on citizen complaints and personal experiences. In the first part of 2008, after

the change over from Insight to Comcast, citizen complaints regarding service (especially from out of state and out of country call centers), channel relocation (C-Span2 to a digital tier), and fees increased dramatically. Another topic of concern was the absence of the Big Ten Network on the local system until the Fall of 2008.

#### **Video Service Provider: AT&T**

Although the state franchising law requires all video service providers to carry the local Public, Educational, and Government (PEG) channels that existed at the time the entity was granted its certificate. At each meeting, the Council asked the PEG channel operators (Monroe County Public Library, five channels; WTIU, one channel) the status of their dealings with AT&T. All reported limited communication. Throughout 2008, the local PEG channels were *not* available on AT&T's U-verse system.

#### **Relationship with Indiana Utilities Regulatory Commission (IURC)**

The Council continued to inform the IURC that by not carrying Bloomington's local PEG channels, AT&T was not in compliance with the state video franchise law. IURC legal staff advised the Council that legal action would be necessary to force compliance.

The City of Bloomington continued to receive monthly IURC reports of citizen complaints about all utilities, which the Council could break down according to video services and location.

#### **Relationship with Other Governmental Units and Representatives**

The Council called on former Council and City Council member and now State Representative Matt Pierce for advice regarding the implementation of the state franchising law, especially in regard to PEG channels, and the need for additional legislation for emergency notifications. To focus on the latter, the Council invited representatives of the County Commission and the Monroe County Telecommunications Council to one of its regular meeting which was designated as a work session.

#### **PEG Channels: Monroe County Public Library/CATS**

Five PEG channels originate from the Monroe County Public Library:

- [Channel 3 - The Library Channel](#)
- [Channel 7 - The Public Channel](#)
- [Channel 12 - Bloomington City Government](#)
- [Channel 14 - Monroe County Government](#)
- [Channel 96 - SCOLA International News](#)

Community Access Television Services (CATS) director Michael White continues the custom of providing monthly reports of the CATS programming and operations. He continued to express concern that if and when AT&T includes the channels on its U-verse system, they will all be assigned to subchannels on Channel 99, which will mean they are not available for home recording. Also, the video quality that AT&T is providing in other locations has not proven to equal that of other channels on their system or that of the original video provided.

See accompanying document: CATS Annual Report 2008.

**PEG Channel: WTIU2**

WTIU/WTIU2 Station manager Phil Meyer (or his representative) attended Council meetings and submitted reports on a quarterly basis. In the June 2008, the Annenberg Channel, which provided most of the programming scheduled on WTIU2, was moved to the Internet. Consequently, WTIU started carrying PBS WORLD on its PEG channel. Some of the content (reported to be 20 percent or less) is the same that airs on the main WTIU channel. Mr. Meyer also reported on the stations' scheduled digital transition.

**Emergency Notification**

The EAS system is required by Federal law. Essentially, national and state emergency events are communicated to broadcasters and video providers through a notification network and passed on through those outlets to listeners and viewers.

AT&T U-Verse was allowed by the FCC to delay participation until July of 2008. At that time, AT&T was required to participate in the notification process and carry national and state EAS alerts.

Comcast (Insight) has been carrying EAS alerts regularly during its franchise history with Bloomington. A number of years ago, the local franchise was amended to add local emergency notification capability to Bloomington Central Dispatch. This local alert system is not required by the FCC EAS standards.

Video provider AT&T does not participate in the local emergency notification system, and as broadcasters and video providers move to digital distribution, technical problems have been appearing in the local alert system in place between Comcast and Central Dispatch.

Bloomington Telecommunications Council created a task force to study the local emergency notification system. That task force recommended a state legislative approach which asked Indiana Department of Homeland Security to investigate and recommend a technological solution to providing local emergency responders to the video service providers in local communities and/or municipalities. The bill, sponsored by Rep Matt Pierce, was passed by the House but not acted on by the Senate.